## REMARKS

Claims 1, 3-11, and 19-21 are pending. Applicants have amended claims 9-11 to remove the recitation of SEQ ID NO: 4 from those claims. Claim 9 has also been amended to recite the step of "confirming that the selected substance inhibits leukocyte activation." The specification supports this amendment of claim 9 at, for example, page 8, lines 11-15. In addition, both claims 10 and 11 have been amended to explicitly provide the previous inherent relationship between the "substance" to be tested and either the "therapeutic agent" or "pharmaceutical composition." Thus, Applicants have not added new matter by these amendments.

Applicants acknowledge with appreciation the Office's withdrawal of the objection to claims 1 and 8-11; the rejection of claim 11 under 35 U.S.C. § 112, second paragraph; the rejection of claims 1 and 3-7 under 35 U.S.C. § 102(a) over Li et al.; the rejection of claims 1 and 3-8 under 35 U.S.C. § 102(e) over Friddle et al.; and the rejection of claims 8-11 under 35 U.S.C. § 103(a) over Mochizuki and Jiang in view of Harada et al. and Balasubramanyam et al. The Office now considers claims 1, 3-8, and 19-21 "subject to allowability" but rejects claims 9-11. Applicants address the remaining rejections against claims 9-11 below.

*Rejection Under 35 U.S.C. § 102(e)*

Claims 9-11 remain rejected under 35 U.S.C. § 102(e) as allegedly anticipated by Friddle et al. (US Patent No. 6,787,352). The Office alleges that Friddle's SEQ ID NO: 2 is 100% identical to SEQ ID NO: 4 recited in the instant claims. Friddle also allegedly discloses methods for identifying compounds that act as agonists or antagonists of the disclosed protein's endogenous activity. According to the Office, there is nothing in the

method steps of claim 9 to distinguish them over the teachings of Friddle. The recitation of inhibiting leukocyte activation in step (d) of claim 9, the Office contends, is an inherent property of an inhibitor substance of SEQ ID NO: 4. Applicants respectfully disagree.

To facilitate prosecution and without acquiescing to the rejection, Applicants amended claims 9-11 to no longer recite SEQ ID NO: 4. Friddle does not teach SEQ ID NO: 2 as recited in claims 9-11 and therefore cannot anticipate these claims. In addition, the Office did not give the recitations of (1) method for screening for an inhibitor of leukocyte activation, (2) method for screening for a therapeutic agent for post-ischemic reperfusion injury and/or an inflammatory disease, or (3) process for manufacturing a pharmaceutical composition for treatment of post-ischemic reperfusion injury and/or inflammatory disease patentable weight because these recitations are in the preamble of the claims. Applicants' amendment to the last step of claims 9, 10, and 11 explicitly provide the previous inherent relationship between the preamble of these claims and the recited method steps. Thus, the preamble of claims 9-11 should be given patentable weight. Because this rejection has been rendered moot, Applicants request withdrawal of the rejection.

*Rejection Under 35 U.S.C. § 112, Second Paragraph*

The Office newly rejects claim 9 under 35 U.S.C. § 112, second paragraph, as allegedly indefinite because of the phrase "and inhibits leukocyte activation" in step (d). It is not clear to the Office whether this phrase means that inhibition of leukocyte activation was also assessed in the screening assay or that the substance inhibiting the

exchange activity of the polypeptide would also be suitable for inhibiting leukocyte activation.

Without acquiescing to the rejection, Applicants have amended claim 9 to remove the phrase "and inhibits leukocyte activation" and add the step of "confirming that the selected substance inhibits leukocyte activation." As noted above, this amendment is fully supported by the specification. Therefore, Applicants respectfully request withdrawal of the rejection.

*Conclusions*

Applicants respectfully request that this Amendment under 37 C.F.R. § 1.116 be entered by the Office, placing claims 1, 3-11, and 19-21 in condition for allowance. Applicants submit that the proposed amendments of claims 9-11 do not raise new issues or necessitate the undertaking of any additional search of the art by the Office. Therefore, this Amendment should allow for immediate action by the Office.

It is respectfully submitted that the entering of the Amendment would allow the Applicant to reply to the final rejections and place the application in condition for allowance.

In view of the foregoing remarks, Applicant submits that this claimed invention is novel in view of the prior art reference cited against this application. Applicant therefore requests the entry of this Amendment, the Office's reconsideration and reexamination of the application, and the timely allowance of claims 1, 3-11, and 19-21.

Please grant any extensions of time required to enter this response and charge any additional required fees to Deposit Account 06-0916.

Respectfully submitted,

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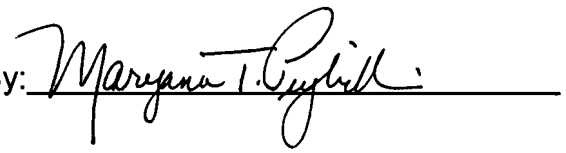
By: 

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